

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY**

In Re:  
Willie Shuler

Case No.: 16-29426

Judge: \_\_\_\_\_

Chapter: 13

Debtor(s)

**Chapter 13 Plan and Motions**

☒ Original

☐ Modified/Notice Required

☒ Discharge Sought

☐ Motions Included

☐ Modified/No Notice Required

☐ No Discharge Sought

Date: 11/4/2016

THE DEBTOR HAS FILED FOR RELIEF UNDER  
CHAPTER 13 OF THE BANKRUPTCY CODE

**YOUR RIGHTS WILL BE AFFECTED**

You should have received from the court a separate *Notice of the Hearing on Confirmation of Plan*, which contains the date of the confirmation hearing on the Plan proposed by the Debtor. This document is the actual Plan proposed by the Debtor to adjust debts. You should read these papers carefully and discuss them with your attorney. Anyone who wishes to oppose any provision of this Plan or any motion included in it must file a written objection within the time frame stated in the Notice. **This Plan may be confirmed and become binding, and included motions may be granted without further notice or hearing, unless written objection is filed before the deadline stated in the Notice.**

**YOU SHOULD FILE A PROOF OF CLAIM BY THE DEADLINE STATED  
IN THE NOTICE TO RECEIVE DISTRIBUTIONS UNDER ANY PLAN  
THAT MAY BE CONFIRMED, EVEN IF THE PLAN REFERS TO YOUR CLAIM**

**Part 1: Payment and Length of Plan**

a. The debtor shall pay \$ 222.00 per month to the Chapter 13 Trustee, starting on November 1, 2016 for approximately 36 months.

b. The debtor shall make plan payments to the Trustee from the following sources:

☒ Future earnings

☐ Other sources of funding (describe source, amount and date when funds are available):

c. Use of real property to satisfy plan obligations:

- ☐ Sale of real property

Description:

Proposed date for completion: \_\_\_\_\_

- ☐ Refinance of real property:

Description:

Proposed date for completion: \_\_\_\_\_

- ☒ Loan modification with respect to mortgage encumbering property:

Description: 218 Wilbur Avenue

Proposed date for completion: February 28, 2016

- d. ☐ The regular monthly mortgage payment will continue pending the sale, refinance or loan modification.

- e. ☐ Other information that may be important relating to the payment and length of plan:

**Part 2: Adequate Protection**

a. Adequate protection payments will be made in the amount of \$ \_\_\_\_\_ to be paid to the Chapter 13 Trustee and disbursed pre-confirmation to \_\_\_\_\_ (creditor).

b. Adequate protection payments will be made in the amount of \$ \_\_\_\_\_ to be paid directly by the debtor(s) outside the Plan, pre-confirmation to: \_\_\_\_\_ (creditor).

**Part 3: Priority Claims (Including Administrative Expenses)**

All allowed priority claims will be paid in full unless the creditor agrees otherwise:

Creditor	Type of Priority	Amount to be Paid
Young Marr and Associates	Administrative Claims	\$1250.00

**Part 4: Secured Claims**

**a. Curing Default and Maintaining Payments**

The Debtor shall pay to the Trustee (as part of the Plan) allowed claims for arrearages on monthly obligations and the debtor shall pay directly to the creditor (outside the Plan) monthly obligations due after the bankruptcy filing as follows:

Creditor	Collateral or Type of Debt	Arrearage	Interest Rate on Arrearage	Amount to be Paid to Creditor (In Plan)	Regular Monthly Payment (Outside Plan)
Nationstar Mortgage	218 Wilbur Avenue	To be paid by pending loan modification	0.00	To be paid by pending loan modification	\$1348.00 month

**b. Modification**

1.) The debtor values collateral as indicated below. If the claim may be modified under Section 1322(b)(2), the secured creditor shall be paid the amount listed as the "Value of the Creditor Interest in Collateral," plus interest as stated. The portion of any allowed claim that exceeds that value shall be treated as an unsecured claim. If a secured claim is identified as having "NO VALUE" it shall be treated as an unsecured claim.

**NOTE: A modification under this Section ALSO REQUIRES the appropriate motion to be filed under Section 7 of the Plan.**

Creditor	Collateral	Scheduled Debt	Total Collateral Value	Superior Liens	Value of Creditor Interest in Collateral	Annual Interest Rate	Total Amount to be Paid

2.) Where the Debtor retains collateral and completes the Plan, payment of the full amount of the allowed secured claim shall discharge the corresponding lien.

**c. Surrender**

Upon confirmation, the stay is terminated as to surrendered collateral. The Debtor surrenders the following collateral:

Creditor	Collateral to be Surrendered	Value of Surrendered Collateral	Remaining Unsecured Debt

**d. Secured Claims Unaffected by the Plan**

The following secured claims are unaffected by the Plan:

**e. Secured Claims to be Paid in Full Through the Plan:**

Creditor	Collateral	Total Amount to be Paid Through the Plan

**Part 5: Unsecured Claims**

**a. Not separately classified** allowed non-priority unsecured claims shall be paid:

- ☐ Not less than \$ \_\_\_\_\_ to be distributed *pro rata*
- ☒ Not less than 100 percent
- ☐ *Pro Rata* distribution from any remaining funds

**b. Separately classified unsecured** claims shall be treated as follows:

Creditor	Basis For Separate Classification	Treatment	Amount to be Paid
US Department of Education	Student Loan	Outside the plan by the debtor	\$139,644.00

**Part 6: Executory Contracts and Unexpired Leases**

All executory contracts and unexpired leases are rejected, except the following, which are assumed:

Creditor	Nature of Contract or Lease	Treatment by Debtor

**Part 7: Motions**

**NOTE: All plans containing motions must be served on all potentially affected creditors, together with local form, *Notice of Chapter 13 Plan Transmittal*, within the time and in the manner set forth in D.N.J. LBR 3015-1. A *Certification of Service* must be filed with the Clerk of Court when the plan and transmittal notice are served.**

**a. Motion to Avoid Liens Under 11. U.S.C. Section 522(f).**

The Debtor moves to avoid the following liens that impair exemptions:

Creditor	Nature of Collateral	Type of Lien	Amount of Lien	Value of Collateral	Amount of Claimed Exemption	Sum of All Other Liens Against the Property	Amount of Lien to be Avoided

**b. Motion to Avoid Liens and Reclassify Claim From Secured to Completely Unsecured.**

The Debtor moves to reclassify the following claims as unsecured and to void liens on collateral consistent with Part 4 above:

Creditor	Collateral	Amount of Lien to be Reclassified

**c. Motion to Partially Void Liens and Reclassify Underlying Claims as Partially Secured and Partially Unsecured.**

The Debtor moves to reclassify the following claims as partially secured and partially unsecured, and to void liens on collateral consistent with Part 4 above:

Creditor	Collateral	Amount to be Deemed Secured	Amount to be Reclassified as Unsecured

### Part 8: Other Plan Provisions

#### a. Vesting of Property of the Estate

- ☒ Upon confirmation  
☐ Upon discharge

#### b. Payment Notices

Creditors and Lessors provided for in Parts 4, 6 or 7 may continue to mail customary notices or coupons to the Debtor notwithstanding the automatic stay.

#### c. Order of Distribution

The Trustee shall pay allowed claims in the following order:

- 1) Trustee commissions
- 2) Administrative Claims
- 3) Secured Claims
- 4) priority Claims and valid unsecured claims

#### d. Post-Petition Claims

The Trustee ☐ is, ☒ is not authorized to pay post-petition claims filed pursuant to 11 U.S.C. Section 1305(a) in the amount filed by the post-petition claimant.

### Part 9: Modification

If this Plan modifies a Plan previously filed in this case, complete the information below.

Date of Plan being Modified: \_\_\_\_\_.

Explain below **why** the plan is being modified:

Explain below **how** the plan is being modified:

Are Schedules I and J being filed simultaneously with this Modified Plan?

☐ Yes ☐ No

**Part 10: Sign Here**

The Debtor(s) and the attorney for the Debtor (if any) must sign this Plan.

Date: 11/4/2016

/s/ Paul Howard Young  
Attorney for the Debtor

I certify under penalty of perjury that the above is true.

Date: 11/4/2016

/s/ Willie Shuler  
Debtor

Date: \_\_\_\_\_

\_\_\_\_\_  
Joint Debtor

United States Bankruptcy Court  
District of New Jersey

In re:  
Willie Shuler  
Debtor

Case No. 16-29426-ABA  
Chapter 13

**CERTIFICATE OF NOTICE**

District/off: 0312-1

User: admin  
Form ID: pdf901

Page 1 of 2  
Total Noticed: 21

Date Rcvd: Nov 08, 2016

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Nov 10, 2016.

db  
516489577 +Willie Shuler, 218 Wilbur Ave, Cherry Hill, NJ 08002-1441  
+Camden County Special Civil Part, Hall of Justice, 101 S. 5th Street, Suite 150,  
Camden, NJ 08103-4000  
516441129 +Financial Network Recovery, PO Box 940730, Simi Valley, CA 93094-0730  
516489578 +KML Law Group, Mellon Independence Center, 701 Market Street, Suit 5000,  
Philadelphia, PA 19106-1541  
516441131 #+Michael Dougherty, Esquire, 325 Chestnut Street, Suite 501, Philadelphia, PA 19106-2605  
516489579 ++NATIONSTAR MORTGAGE LLC, PO BOX 619096, DALLAS TX 75261-9096  
(address filed with court: Nationstar Mortgage LLC\*, 350 Highland Drive,  
Lewisville, TX 75067)  
516489576 +Nationstar Mortgage LLC, 8950 Cypress Waters Blvd., Coppell, TX 75019-4620  
516441133 +Olger Abarca, 3652 Dresher Rd., Bensalem, PA 19020-1416  
516441134 +PNC Bank NA, 23000 Millcreek Blvd., Beachwood, OH 44122-5720  
516441135 ++US BANK, PO BOX 5229, CINCINNATI OH 45201-5229  
(address filed with court: US Bank, PO Box 790084, Saint Louis, MO 63179)  
516489584 US Dept of Ed/Great Lakes Educational Lo, PO Box 7860, Madison, WI 53707,  
Westlake, OH 44145  
516489582 +US Dept of Ed/Great Lakes Educational Lo, 2401 International, Madison, WI 53704-3121  
516441136 VNB, 747 Chestnut Ridge Road, Ste. 201, Spring Valley, NY 10977-6225  
516489583 Wells Fargo Home Projects Visa, Csc1 Dispute Team N8235-04m, Des Moines, IA 50306  
516441137 +Young, Klein & Associates, LLC, 3554 Hulmeville Road, Suite 102, Bensalem, PA 19020-4366

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.  
smg E-mail/Text: usanj.njbankr@usdoj.gov Nov 08 2016 22:54:50 U.S. Attorney, 970 Broad St.,  
Room 502, Rodino Federal Bldg., Newark, NJ 07102-2534

smg +E-mail/Text: ustpreion03.ne.ecf@usdoj.gov Nov 08 2016 22:54:47 United States Trustee,  
Office of the United States Trustee, 1085 Raymond Blvd., One Newark Center, Suite 2100,  
Newark, NJ 07102-5235  
516441128 +E-mail/Text: cms-bk@cms-collect.com Nov 08 2016 22:54:35 Capital Management Services LP,  
726 Exchange St., Suite 700, Buffalo, NY 14210-1464  
516441130 E-mail/Text: cs.bankruptcy@jmcibiz.com Nov 08 2016 22:55:41 Joseph, Mann & Creed,  
PO Box 22253, Beachwood, OH 44122-0253  
516441132 +E-mail/Text: bankruptcydepartment@tsico.com Nov 08 2016 22:55:32 NCO Financial Systems,  
PO Box 15740, Wilmington, DE 19850-5740  
516489580 +E-mail/Text: bankruptcy@td.com Nov 08 2016 22:54:53 TD Bank NA\*, 32 Chestnut Street,  
Lewiston, ME 04240-7799

TOTAL: 6

\*\*\*\*\* BYPASSED RECIPIENTS (undeliverable, \* duplicate) \*\*\*\*\*  
516489581 United Consumer Financial Services\*, 865 Bassett Road

TOTALS: 1, \* 0, ## 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.  
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '++' were redirected to the recipient's preferred mailing address  
pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.PR.2002(g)(4).

Addresses marked '#' were identified by the USPS National Change of Address system as requiring an update.  
While the notice was still deliverable, the notice recipient was advised to update its address with the court  
immediately.

**I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.**

**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Nov 10, 2016

Signature: /s/Joseph Speetjens

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**CM/ECF NOTICE OF ELECTRONIC FILING**



District/off: 0312-1

User: admin  
Form ID: pdf901

Page 2 of 2  
Total Noticed: 21

Date Rcvd: Nov 08, 2016

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on November 7, 2016 at the address(es) listed below:

Denise E. Carlon on behalf of Creditor NATIONSTAR MORTGAGE LLC dcarlon@kmlawgroup.com,  
bkgroup@kmlawgroup.com  
Isabel C. Balboa ecfmail@standingtrustee.com, summarymail@standingtrustee.com  
Paul H. Young on behalf of Debtor Willie Shuler ykassoc@gmail.com,  
lesliebrown.paralegal@gmail.com

TOTAL: 3